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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,868	01/10/2002	Michael Peters	6065-80125	9822

24628 7590 03/11/2005

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EXAMINER

KNOWLIN, THJUAN P

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 03/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/044,868

Applicant(s)

PETERS, MICHAEL

Examiner

Thjuan P Knowlin

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on November 01, 2004 has been entered. No claims have been amended. No claims have been cancelled. No claims have been added. Claims 1-40 are still pending in this application, with claims 1, 16, and 31 being independent.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Lu et al (US 6,611,590).

4. In regards to claims 1, 6, 7, 16, 21, 22, and 31, Lu discloses a method and apparatus of supporting client (caller 1 110-1 and caller 2 110-2) calls within a private computer network (PBX 122) of an organization having a plurality of agents (agent workstation 132), such method comprising the steps of: detecting receipt of a call from a client of the organization through an interface of the private computer network of the organization with a public communication network (PSTN 154); determining a type of the received call; spawning a routing process based upon the determined type of call; and routing the call to an agent of the plurality of agents based upon the type of call and

the spawned routing process (col. 1 lines 48-59, col. 4 lines 51-63, and col. 8 lines 37-42).

5. In regards to claims 2, 17, and 32, Lu discloses the method and apparatus, further comprising detecting call associated information (call ID/reason) received along with the call (col. 1 lines 48-59 and col. 10 lines 24-53).

6. In regards to claims 3 and 18, Lu discloses the method and apparatus, further comprising selecting the agent for connection to the call based upon the call associated information (col. 1 lines 48-59 and col. 4 lines 51-63).

7. In regards to claims 4 and 19, Lu discloses the method and apparatus, further comprising identifying the client from the call associated information (col. 11 lines 48-58).

8. In regards to claims 5 and 20, Lu discloses the method and apparatus, further comprising retrieving client information based upon the identity of the client (col. 5 lines 58-66 and col. 11 lines 48-58).

9. In regards to claims 8, 9, 10, 11, 12, 15, 23, 24, 25, 26, 27, 30, 33, 34, 35, 36, 37, and 40, Lu discloses the method and apparatus, further comprising defining the call type as a VoIP call, a web page call, and a chat session call (col. 3 lines 28-59 and col. 13 lines 22-35).

10. In regards to claims 13, 14, 28, 29, 38, and 39, Lu discloses the method and apparatus, further comprising conferencing a third party into the call (col. 4 lines 38-63).

Response to Arguments

11. Applicant's arguments filed 11/01/04 have been fully considered but they are not persuasive. Applicant argues that the initialization of a call session is not the same as spawning a call process. Examiner respectfully disagrees with this argument.

Spawning, according to Webster's Dictionary (Tenth Edition), is said to mean, "bring forth" or "generate." Webster further defines initialization as "to set" or a "starting position." Therefore, the initialization of a call session would be the same as spawning a call process. Applicant further argues that Lu et al does not involve "spawning a routing process based upon the determined type of call; and routing the call to an agent of the plurality of agents based upon the type of call and the spawned routing process." Lu et al, however, does involve spawning a routing process based upon the determined type of call; and routing the call to an agent of the plurality of agents based upon the type of call and the spawned routing process (col. 4 lines 51-63 and col. 8 lines 37-42). Applicant also states that Lu et al is directed to routing call assignments rather than to setting up call connections that route audio information between clients and agents. Examiner, however, would like to bring to Applicant's attention, that no where, in the claims does it state the limitation of "setting up call connections that route audio information between clients and agents."

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

13. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thjuan P Knowlin whose telephone number is (703) 308-1727. The examiner can normally be reached on Mon-Fri 8:00-4:30pm.

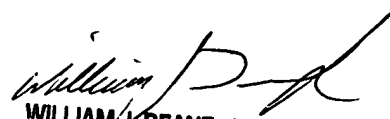
15. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703)305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

16. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Art Unit: 2642

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Thjuan P. Knowlin


WILLIAM J. DEANE, JR.
PRIMARY EXAMINER